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EXAMINER	
KARIKARI, KWASI	
ART UNIT	**PAPER NUMBER**
2617	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/08/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/523,544	DAVIDSON, BRIAN	
	Examiner	Art Unit	
	Kwasi Karikari	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 December 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *40-68* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *40-68* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☑ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1. The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

Response to Arguments

2. Applicant's arguments with respect to claims 40-68 have been considered but are moot in view of the new ground(s) of rejection.

3. Claims 67 and 68 have been added.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 54-56 and 63 are rejected under 35 U.S.C. 102(b) as being anticipated by Sasakura et al. (U.S 6,151,493), (hereinafter Sasakura)

Regarding **claims 54 and 63**, Sasakura discloses device (see Fig. 1) comprising:

a detection arranged to detect the unauthorized separation of the portable device

from a counter part device worn by a person (owner of the cell phone 30); by detecting the diminution of a radio link between the device and the counterpart device; a controller arranged (see col. 8, lines 10-32) to effect partial disablement of the device in response to the unauthorized separation of the device and counterpart device (cell phone 30 is disables when separated for a predetermined distance, see col. 9, lines 7-29 and col. 3, lines 44-59; and communication between unit 10 and cell phone 30, see Fig. 1).

Regarding **claim 55,** as recited in claim 54, Sasakura teaches that the portable device comprises a cellular radio transceiver (see items 31a and 33d in Fig. 1).

Regarding **claim 56,** as recited in claim 55, Sasakura teaches that the control means is arranged to effect partial disablement of the device by controlling the cellular radio transceiver to transmit a disabling message instructing the at least partial disablement of the device (cell phone 30 is disables when separated for a predetermined distance, see col. 9, lines 7-29).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 40-45, 48-52, 59-61 and 64 are rejected under U.S.C. 103(a) as being unpatentable over Sasakura et al. (U.S 6,151,493), (hereinafter Sasakura) in view of Briffett et al. (U.S 6,154,665), (hereinafter Briffett).

Regarding claims **40 and 48**, Sasakura discloses a device (see Fig. 1) comprising:

unauthorized separation detection means(see col. 3, lines 44-59) and control means arranged to effect at least partial disablement of the device (cell phone 30 is disables when separated for a predetermined distance, see col. 9, lines 7-29); but fails specifically to teach a release of a releasable connector connecting the device to a person.

However, Briffett teaches a release of a releasable connector connecting the device to a person (connection between belt clip proximity unit 46 and the telephone proximity unit 16, see col. 4, lines 22-60; and Fig. 3-6)

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Briffett with the system of Sasakura for the benefit of achieving a arrangement that includes a belt clip assembly which enables a user to attach a telephone to his belt for convenient transportation (see col. 2, line 66- col. 3, lines 5).

Regarding **claims 41 and 49,** as recited in claims 40 and 48, Sasakura fails to teach that the releasable connector comprises a strap.

However, Briffett teaches that the releasable connector comprises a strap (connection between belt clip proximity unit 46 and the telephone proximity unit 16, see col. 4, lines 22-60; and Fig. 3-6)

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Briffett with the system of Sasakura for the benefit of achieving a arrangement that includes a belt clip assembly which enables a user to attach a telephone to his belt for convenient transportation (see col. 2, line 66- col. 3, lines 5).

Regarding **claims 42 and 50,** as recited in claims 40 and 48, Sasakura fails to teach that the releasable connector is released by severance.

However, Briffett teaches that the releasable connector is released by severance. (rapid moment, see col. 6, lines 10-17)

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Briffett with the system of Sasakura for the benefit of achieving a arrangement that includes a belt clip assembly which enables a user to attach a telephone to his belt for convenient transportation (see col. 2, line 66- col. 3, lines 5).

Regarding **claim 43,** as recited in claims 40, Sasakura fails to teach the interruption of a closed conductive path via the releasable connector.

However, Briffett teaches the interruption of a closed conductive path via the releasable connector (no electric contact, see col. 4, lines 27-39)

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Briffett with the system of Sasakura for the benefit of achieving a arrangement that includes a belt clip assembly which enables a user to attach a telephone to his belt for convenient transportation (see col. 2, line 66- col. 3, lines 5).

Regarding **claim 44,** as recited in claim 40, Sasakura further teaches that the device comprises a cellular radio transceiver (see items 31a and 33d in Fig. 1).

Regarding **claim 45,** as recited in claim 44, Sasakura further teaches that the control means is arranged to effect at least partial disablement of the device by controlling the cellular radio transceiver to transmit a disabling message instructing the at least partial disablement of the device (cell phone 30 is disables when separated for a predetermined distance, see col. 9, lines 7-29).

Regarding **claim 52,** as recited in claim 48, Sasakura further teaches radio transmitter (items 31a and 33d in the cell phone 30, see Fig. 1) wherein the controller is arranged to control the radio transmitter to send a message (cell phone 30 is disables when separated for a predetermined distance, see col. 9, lines 7-29); but fails to teach a releasable connector.

However, Briffett teaches a release of a releasable connector (connection between belt clip proximity unit 46 and the telephone proximity unit 16, see col. 4, lines 22-60; and Fig. 3-6)

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Briffett with the system of Sasakura for the benefit of achieving a arrangement that includes a belt clip assembly which enables a user to attach a telephone to his belt for convenient transportation (see col. 2, line 66- col. 3, lines 5).

Regarding **claim 64,** as recited in claim 48, Sasakura fails to teach "releasable connector" from the device.

However, Briffett teaches a release of a releasable connector (connection between belt clip proximity unit 46 and the telephone proximity unit 16, see col. 4, lines 22-60; and Fig. 3-6)

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Briffett with the system of Sasakura for the benefit of achieving a arrangement that includes a belt clip assembly which enables a user to attach a telephone to his belt for convenient transportation (see col. 2, line 66- col. 3, lines 5).

Regarding **claim 51,** as recited in claims 64, Sasakura fails to teach the interruption of a closed conductive path via the releasable connector.

However, Briffett teaches a release of a releasable connector (connection between belt clip proximity unit 46 and the telephone proximity unit 16, see col. 4, lines 22-60; and Fig. 3-6)

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Briffett with the system of Sasakura for the benefit of achieving

a arrangement that includes a belt clip assembly which enables a user to attach a telephone to his belt for convenient transportation (see col. 2, line 66- col. 3, lines 5).

Regarding **claim 59,** Sasakura discloses device comprising:

a detection arranged to detect the unauthorized separation of the device (cell phone 30) from a counter part device (unit 10); by detecting the diminution of a radio link between the device and the counterpart device; a controller arranged (see col. 8, lines 10-32) to effect partial disablement of the device in response to the unauthorized separation of the device and counterpart device by controlling a transceiver to transmit a radio command to the counterpart device (cell phone 30 is disables when separated for a predetermined distance, see col. 9, lines 7-29 and col. 3, lines 44-59; and communication between unit 10 and cell phone 30, see Fig. 1); but fails to teach that the device is wearable by a person.

However, Briffett teaches that the device is wearable by a person (connection between belt clip proximity unit 46 and the telephone proximity unit 16, see col. 4, lines 22-60; and Fig. 3-6)

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Briffett with the system of Sasakura for the benefit of achieving a arrangement that includes a belt clip assembly which enables a user to attach a telephone to his belt for convenient transportation (see col. 2, line 66- col. 3, lines 5).

Regarding **claim 60**, as recited by claim 59, Sasakura fails to discloses that the counterpart device comprises a cellular radio transceiver or mobile telephone.

However, Briffett teaches that the counterpart device comprises a cellular radio transceiver or mobile telephone (connection between belt clip proximity unit 46 and the telephone proximity unit 16, see col. 4, lines 22-60; and Fig. 3-6)

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Briffett with the system of Sasakura for the benefit of achieving a arrangement that includes a belt clip assembly which enables a user to attach a telephone to his belt for convenient transportation (see col. 2, line 66- col. 3, lines 5).

Regarding **claim 61,** as recited in claim 60, Sasakura fails to teach, wherein the counterpart device comprises the controller arranged to effect partial disablement of the counterpart device by controlling the cellular radio transceiver to transmit a disable message instructing the partial disablement of the counterpart device.

However, Briffett teaches wherein the counterpart device comprises the controller arranged to effect partial disablement of the counterpart device by controlling the cellular radio transceiver to transmit a disable message instructing the partial disablement of the counterpart device(see col. 4, lines 22-60; Fig. 3-6 and abstract).

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Briffett with the system of Sasakura for the benefit of achieving a arrangement that includes a belt clip assembly which enables a user to attach a telephone to his belt for convenient transportation (see col. 2, line 66- col. 3, lines 5).

6. **Claims 46 47,53,57,58 and 62 are rejected under U.S.C. 103(a) as being unpatentable over Sasakura in view of Briffett and further in view of Rohrbach (U.S. 5,898,783), (hereinafter Rohrbach).**

Regarding **claims 46 and 53,** as recited in claims 40 and 48, Sasakura teaches radio transmitter (items 31a and 33d in the cell phone 30, see Fig. 1)

However, the combination of Sasakura and Briffett specifically fails to mention a cellular communications network and the control means is arranged to effect at least partial disablement of the device by sending a disabling message "to the network" instructing the network to disable normal operation of the telephone in the network.

Rohrbach further teaches that the data communication circuitry 200 transmits a code to the communication network via the mobile station 100 and in response to receiving a disable command, the disabling circuitry 220 is operative to prevent operation of the SIM card in the network (see col. 4, lines 14-25, col. 5, lines 13-31 and Figs. 2 & 3; i.e., the mobile phone operates to prevent the use of the sim card after obtain a disable command which is known to both the phone and the communication system that grants operational access to the phone).

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Rohrbach into the system of Sasakura and Briffett for the benefit of achieving a system that provides a way of remotely disabling SIMs and smartcard in the telecommunication network.

Regarding **claim 47,** as recited in claim 46, the combination of Sasakura and Briffett fails to teach that the mobile telephone comprises a handset and a "replaceable card", which enables the handset to operate as a telephone in the network, and the network is responsive to the disabling message sent by the mobile telephone to disable the card from normal use in the network and/or to disable the handset from normal use in the network.

Rohrbach further teaches that the SIM card 110 or smart card cooperates with a mobile phone 100 to effect communication with the telecommunication network (see col. 3, lines 61-66).

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Rohrbach into the system of Sasakura and Briffett for the benefit of achieving a system that provides a way of remotely disabling SIMs and smartcard in the telecommunication network.

Regarding **claim 57,** as recited in claim 54, the combination of Sasakura and Briffett fails to teach a replaceable card and the control means is arranged to effect partial disablement of the mobile telephone by locking the handset to the replaceable card.

Rohrbach further teaches that the SIM card 110 or smart card cooperates with a mobile phone 100 to effect communication with the telecommunication network (see col. 3, lines 61-66) and the incapacitation of the SIM card in the system (see col. 4, lines 13-26; which corresponds to "locking").

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Rohrbach into the system of Sasakura and Briffett for the benefit of achieving a system that provides a way of remotely disabling SIMs and smartcard in the telecommunication network.

Regarding **claim 58,** as recited in claim 54, Sasakura teaches cell phone 30 (see Fig. 1); but the combination of Sasakura and Briffett specifically fails to teach a cellular communications network and the control means is arranged to effect partial disablement of the portable device by "sending a disabling message to the network" instructing the network to disable normal operation of the telephone in the network.

Rohrbach further teaches that the data communication circuitry 200 transmits a code to the communication network via the mobile station 100 and in response to receiving a disable command, the disabling circuitry 220 is operative to prevent operation of the SIM card in the network (see col. 4, lines 14-25, col. 5, lines 13-31 and Figs. 2 & 3).

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Rohrbach into the system of Sasakura and Briffett for the benefit of achieving a system that provides a way of remotely disabling SIMs and smartcard in the telecommunication network.

Regarding **claim 62,** as recited in claim 59, the combination of Sasakura and Briffett fails to teach a replaceable card and the control means is arranged to effect partial disablement of the mobile telephone by locking the handset to the replaceable card.

Rohrbach further teaches that the SIM card 110 or smart card cooperates with a mobile phone 100 to effect communication with the telecommunication network (see col. 3, lines 61-66) and the incapacitation of the SIM card in the system (see col. 4, lines 13-26; which corresponds to "locking").

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Rohrbach into the system of Sasakura and Briffett for the benefit of achieving a system that provides a way of remotely disabling SIMs and smartcard in the telecommunication network.

7. **Claims 65 and 67 are rejected under U.S.C. 103(a) as being unpatentable over Sasakura in view of Decotignie (U.S Pub. No. 20010016484 A1).**

Regarding **claim 65,** as recited in claim 54, Sasakura fails to teach that the mobile telephone is capable of making emergency calls when it is partially disabled.

However, Decotignie teach the use of a mobile telephone which is capable of making emergency calls when is it in blocking state (see Par. 0027 and Fig. 1).

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Decotignie into the system of Sasakura for the benefit of achieving a system that includes a device that can receive or make calls in an

emergency situation when the device is blocked from making other usage (see Par. 0027 and Fig. 1).

Regarding **claim 67,** as recited in claim 54, Sasakura fails to teach that the device is partially disabled, it is only capable of restricted use.

However, Decotignie teaching of the use of a mobile telephone which is capable of making emergency calls when is it in blocking state (see Par. 0027 and Fig. 1), meets the claimed limitation, "the device is partially disabled, it is only capable of restricted use".

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Decotignie into the system of Sasakura for the benefit of achieving a system that includes a device that can receive or make calls in an emergency situation when the device is blocked from making other usage (see Par. 0027 and Fig. 1).

8. **Claims 66 and 68 are rejected under U.S.C. 103(a) as being unpatentable over Sasakura in view of Briffett and further in view of Decotignie (U.S Pub. No. 20010016484 A1).**

Regarding **claim 66,** as recited in claim 59, the combination of Sasakura and Briffett fails to teach that the mobile telephone is capable of making emergency calls when it is partially disabled.

However, Decotignie teaches the use of a mobile telephone which is capable of making emergency calls when is it in blocking state (see Par. 0027 and Fig. 1).

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Decotignie into the system of Sasakura and Briffett for the benefit of achieving a system that includes a device that can receive or make calls in an emergency situation when the device is blocked from making other usage (see Par. 0027 and Fig. 1).

Regarding **claim 68,** as recited in claim 59 the combination of Sasakura and Briffett fails to teach that the counterpart device is partially disabled, it is only capable of restricted use.

However, Decotignie teaching of the use of a mobile telephone which is capable of making emergency calls when is it in blocking state (see Par. 0027 and Fig. 1), meets the claimed limitation, "the device is partially disabled, it is only capable of restricted use".

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Decotignie into the system of Sasakura for the benefit of achieving a system that includes a device that can receive or make calls in an emergency situation when the device is blocked from making other usage (see Par. 0027 and Fig. 1).

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Helle (U.S. 6,662,023) teaches a method and approval for controlling and securing mobile phone that are lost, stolen or misused.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kwasi Karikari whose telephone number is 571-272-8566. The examiner can normally be reached on M-F (8 am - 4pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 571-272-4090. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8566. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kwasi Karikari
Patent Examiner.
03/05/2007.

JOSEPH FEILD
SUPERVISORY PATENT EXAMINER